



# Public Notice

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Number: 200450112

Date: September 13, 2005

Comments Due: October 13, 2005

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) and Utah Division of Water Quality are evaluating a permit application to construct the Crane Landing Subdivision project, which would result in impacts to approximately 1.39 acres of waters of the United States, including wetlands, adjacent to the Howard Slough. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

**AUTHORITY:** This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States and Section 401 for water quality certification.

**APPLICANT:** Zachary Aland, Partner  
Axxion Development, LLC  
4538 South 1725 West  
Roy, Utah 84067  
Telephone: 801-941-7256

**LOCATION:** The project site is located in Clinton, west of 3200 West, north of 2300 North, south of the Davis/Weber County line, within Section 20, Township 5 North, Range 3 West, Davis County, Utah, and can be seen on the Roy USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is proposing to construct a residential subdivision, with 59 building lots and associated residential streets, including a 66-foot wide collector road connecting Davis and Weber counties. Based on the available information, the overall project purpose is to provide residential housing. The applicant believes there is a need to provide single-family, moderate-income housing in an area of housing growth. Construction of the planned project would result in the discharge of fill or other impacts to 1.39 acres of jurisdictional wetlands. The attached drawings provide additional project details.

## ADDITIONAL INFORMATION:

**Environmental Setting.** There are approximately 1.53 acres of wet meadow wetlands within the 21-acre Crane Landing subdivision project site. The site vegetation is characterized by salt grass (*Distichlis spicata*), wire grass (*Juncus arcticus*), foxtail barley (*Hordeum jubatum*) and alkaligrass (*Puccinellia nuttalliana*). The area has been heavily grazed and the wetlands are degraded. The wetlands hydrology was previously supplemented with irrigation water from overland flow. The irrigation flow has ceased as the land use is transitioning from grazing and livestock use to residential housing. Large-lot, single-family residences have been

built to the south of the proposed project site. A barn and corals are located on the parcel located to the north of the project site. The remainder of the surrounding properties are vacant and mostly subject to livestock grazing.

The 21-acre Crane Landing subdivision site was delineated as part of an approximately 70.45 acre parcel. The project site is visible as the smaller portion of the Crane Fields Estates wetland delineation map (included with site drawings). The Crane Landing subdivision is a stand-alone project. However, the applicant may have long-term plans for the larger portion of the delineated parcel.

**Alternatives.** The applicant has provided information concerning project alternatives. The applicant analyzed different configurations and their analysis done by the applicant have been provided in the attachments. Additional information concerning project alternatives may be available from the applicant. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to mitigate for the impacts by paying an in-lieu fee to the Nature Conservancy for the Great Salt Lake Shorelands Preserve at a ratio of 1.5 to 1.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Utah Division of Water Quality, is required for this project. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Utah Division of Water Quality, 288 North 1460 West, Post Office Box 144870, Salt Lake City, Utah 84114-4870, on or before **October 13, 2005**.

**HISTORIC PROPERTIES:** Based on the available information, cultural resources are not within the project's area of potential effect.

**ENDANGERED SPECIES:** Based on the available information, the project will not affect any Federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act.

The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue

from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice 200450112, must be submitted to the office listed below on or before **October 13, 2005**:

James Thomas, Project Manager  
US Army Corps of Engineers, Sacramento District  
Utah Regulatory Office  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010-7744  
Email: [Jim.Thomas@usace.army.mil](mailto:Jim.Thomas@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act.

If you have questions or need additional information please contact the applicant or the Corps' project manager James Thomas, 801-295-8380, ext. 18, email [Jim.Thomas@usace.army.mil](mailto:Jim.Thomas@usace.army.mil).

Attachments: 7 Drawings; 3 pgs Alternatives Analysis/Mitigation Goals